

06/01/01
JC912 U.S. PTO

Patent
Attorney's Docket No. 026350-053

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

UTILITY PATENT
APPLICATION TRANSMITTAL LETTER

JC986 U.S. PTO
09/870501
06/01/01

Box PATENT APPLICATION
Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

Enclosed for filing is the utility patent application of Tetsuko TAKABE of 1-21-4, Sonoyama-Cho, Chikusa-Ku, Nagoya City, Aichi Pref., Japan for PEROXISOMAL ASCORBATE PEROXIDASE GENE INDUCED BY HIGH TEMPERATURE STRESS AND A TRANSGENIC PLANT EXHIBITING THERMOTOLERANCE.

- ☐ Applicant(s) hereby request(s) that the above-captioned application **NOT BE PUBLISHED** under 35 U.S.C. § 122(b) and 37 C.F.R. § 1.211. The undersigned hereby certifies that the invention disclosed in this application has not and will not be the subject of an application filed in another country, or under a multilateral international agreement, that requires publication at eighteen months after filing.
- ☐ Applicant(s) suggest(s) Figure _ for inclusion on the front page of the patent application publication and patent.

Also enclosed are:

- ☒ 9 sheet(s) of ☒ formal ☐ informal drawing(s);
- ☒ a claim for foreign priority under 35 U.S.C. §§ 119 and/or 365 is ☒ hereby made to Application No. 2000-172,850 filed in Japan on June 9, 2000, a certified copy of the priority document will follow in due course;
- ☐ in the declaration;
- ☐ a certified copy of the priority document;
- ☐ a General Authorization for Petitions for Extensions of Time and Payment of Fees;
- ☐ an Assignment document;
- ☐ an Information Disclosure Statement;
- ☐ a patent application bibliographic data sheet; and
- ☒ Other: Amendment to the Specification; and Submission of Formal Drawings and Petition Pursuant to 37 C.F.R. §1.84(a)(2).
- ☒ An ☒ executed ☐ unexecuted declaration of the inventor(s)
- ☐ also is enclosed ☒ will follow.
- ☐ Please amend the specification by inserting before the first line the sentence --This application claims priority under 35 U.S.C. §§ 119 and/or 365 to _ filed in _ on _; the entire content of which is hereby incorporated by reference.--



21839

☐ Please amend the specification by inserting before the first line the sentence:

--This application is a continuation of International Application No. filed on , which International Application ☐ was ☐ was not published by the International Bureau in English on ---

☒ Small entity status is hereby claimed.

☒ The filing fee has been calculated as follows ☐ and in accordance with the enclosed preliminary amendment:

| CLAIMS | | | | | |
|--|------------------|------------|-----------------|-------------------|-----------------|
| | NO. OF CLAIMS | | EXTRA CLAIMS | RATE | FEE |
| Basic Application Fee | | | | | \$710.00 (101) |
| Total Claims | 18 | MINUS 20 = | 0 | × \$18.00 (103) = | |
| Independent Claims | 4 | MINUS 3 = | 1 | × \$80.00 (102) = | 80.00 |
| If multiple dependent claims are presented, add \$270.00 (104) | | | | | |
| Total Application Fee | | | | | \$790.00 |
| If small entity status is claimed, subtract 50% of Total Application Fee | | | | | 395.00 |
| Add Assignment Recording Fee \$ if Assignment document is enclosed | | | | | |
| TOTAL APPLICATION FEE DUE | | | | | \$395.00 |

☐ This application is being filed without a filing fee. Issuance of a Notice to File Missing Parts of Application is respectfully requested.

☒ A check in the amount of \$ 395.00 is enclosed for the fee due.

☐ Charge \$ to Deposit Account No. 02-4800 for the fee due.

☒ The Commissioner is hereby authorized to charge any appropriate fees under 37 C.F.R. §§ 1.16, 1.17 and 1.21 that may be required by this paper, and to credit any overpayment, to Deposit Account No. 02-4800. This paper is submitted in duplicate.

Please address all correspondence concerning the present application to:

Robert G. Mukai
BURNS, DOANE, SWECKER & MATHIS, L.L.P.
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Respectfully submitted,

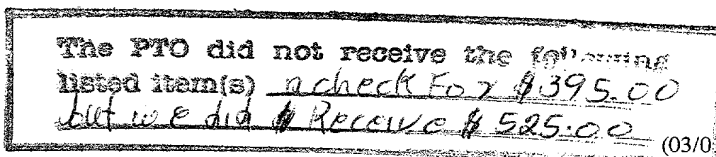
BURNS, DOANE, SWECKER & MATHIS, L.L.P.

Date: June 1, 2001

By: Robert G. Mukai

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of)
)
Tetsuko TAKABE) Group Art Unit: Unassigned
)
Application No.: Unassigned) Examiner: Unassigned
)
Filed: June 1, 2001)
)
For: PEROXISOMAL ASCORBATE)
PEROXIDASE GENE INDUCED BY)
HIGH TEMPERATURE STRESS)
AND A TRANSGENEIC PLANT)
EXHIBITING)
THERMOTOLERANCE)

SUBMISSION OF FORMAL DRAWINGS AND PETITION
PURSUANT TO 37 C.F.R. §1.84(a)(2)

Assistant Commissioner for Patents
Washington, D.C. 20231

ATTN: OFFICIAL DRAFTSMAN

Sir:

Enclosed please find 9 sheet(s) (Figs. 1-9) of formal drawings including three (3) color copies of Fig. 9 for review by the Patent and Trademark Office in connection with the Utility Patent Application filed concurrently herewith. Should the enclosed drawings require changes, it is respectfully requested that the Patent and Trademark Office notify the undersigned of same.

Applicants hereby petition, pursuant to 37 CFR 1.84(a)(2), that the color drawings submitted herewith be accepted, as they are believed to be necessary in order to convey a complete understanding of the claimed invention. The petition fee pursuant to 37 CFR 1.17(i) is also enclosed.

No further fees are believed to be due by this paper; however, in the event that any additional fees are required, the Commissioner is hereby authorized to deduct such fees, and to credit any overpayment, to Deposit Account No. 02-4800

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

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